



IFW

## PATENT APPLICATION

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q92463

Takashi KAMIYA, et al.

Appln. No.: 10/563,225

Group Art Unit: 2121

Confirmation No.: 1018

Examiner: Not yet assigned

Filed: June 29, 2006

For: AUTOMATIC PROGRAMMING METHOD AND AUTOMATIC PROGRAMMING  
DEVICE

#### *Submission of English Translation of International Preliminary Examination Report*

#### MAIL STOP PCT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith please find an English Translation of the International Preliminary Examination Report issued in the international stage of this case. The Examiner is respectfully requested to acknowledge receipt of this English Translation of the International Preliminary Report.

Respectfully submitted,

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

/Richard Turner/  
Richard C. Turner  
Registration No. 29,710

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: September 19, 2006



## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/009595

Box No. 1

Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following \_\_\_\_\_ which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1, 2, 4-43 \_\_\_\_\_ as originally filed/furnished
- pages\* 3, 3/1 \_\_\_\_\_ received by this Authority on 13.05.2005
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the claims:
- nos. 5, 6 \_\_\_\_\_ as originally filed/furnished
- nos.\* \_\_\_\_\_ as amended (together with any statement) under Article 19
- nos.\* 1, 3, 4 \_\_\_\_\_ received by this Authority on 13.05.2005
- nos.\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the drawings:
- sheets fig. 1-57 \_\_\_\_\_ as originally filed/furnished
- sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.
3. ☒ The amendments have resulted in the cancellation of:
- ☐ the description, pages \_\_\_\_\_
- ☒ the claims, nos. 2 \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (specify): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (specify): \_\_\_\_\_
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (specify): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (specify): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."



## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/009595

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims	1, 3-6	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1, 3-6	NO
Industrial applicability (IA)	Claims	1, 3-6	YES
	Claims		NO

## 2. Citations and explanations (Rule 70.7)

Claims 1 and 3 to 6

Document 1 (JP 5-146943 A (Fanuc Ltd.)) cited in the international search report discloses the generation of a 1-spindle machining program, and document 2 (JP 2001-1230 A (Toyoda Machine Works, Ltd.)) cited in the international search report discloses the generation of a 2-spindle machining program, but neither document discloses a feature wherein either of two machining programs is selected depending on the tool to be controlled, nor is it made clear whether said programs are broken down into steps that can be carried out on a single tool. However, document 3 (JP 7-230391 A (Hitachi, Ltd.)) cited in the international search report discloses a feature wherein selection of a program from among a plurality of programs is made according to the apparatus in question, and document 4 (JP 58-178405 A (Toyoda Machine Works, Ltd.)) cited in the international search report discloses a feature wherein a program is broken down into steps that can be carried out on a single tool.

Accordingly, the inventions set forth in claims 1 and 3 to 6 do not involve an inventive step in the light of documents 1 to 4.